

## REMARKS/ARGUMENTS

**Claims 1-24 were previously pending in the application. Claims 1, 3 and 4 are amended** to more clearly identify selected patentable subject matter. Additionally **Claim 2 is cancelled. Claims 25-29 are added** hereto. None of these amendments or added claims pertain to new matter. Specifically, support for the amendments may be found in the specification and drawings as well as in the original claim set. Accordingly, **Claims 1 & 3-29 are now pending in the application.** Applicants respectfully request reconsideration of the application in view of the amendments and remarks made herein.

### Rejections Under 35 U.S.C. § 103:

Claims 1-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,356,334 to *Mathew et al.* (“*Mathew*”) in view of U.S. Patent No. 6,034,751 to *Kamiya* (“*Kamiya*”). Applicants respectfully disagree.

The applicants point out that the *Mathew* art is only applicable under 35 U.S.C. § 102(e) as it issued after the filing of the present application. Moreover, the present application and the *Mathew* art are commonly owned by National Semiconductor Corporation. Therefore, in accordance with 35 U.S.C. § 102(c)(1), the *Mathew* reference shall not preclude patentability.

Additionally, the as the following discussion shall show the cited combination of references is improper as lacking a motivation to combine and irrelevant as the cited combination is insufficient to establish a *prima facie* case of obviousness as to any pending claims. *Mathew* of course does not deal with stabilizers. *Kamiya* describes a liquid crystal display module including a first substrate with raised edges including raised features 4a and 4b. The LCD is force fit into the substrate and retained by a pressure fit between members 4a and 4b. This pressure fit taught in *Kamiya* is a problem which the invention was created to solve.

The amendments of **Claim 3** merely incorporate the limitations of base Claim 1. Accordingly, Claim 3 is essentially unamended. However, as currently drafted Claim 3 more clearly recites the limitation of “stabilizers are sufficiently compliant such that they do not induce substantial stresses in the LCD assembly”. This feature is entirely absent from the cited art. No compliant stabilizers are present in any of the cited references. This is

important because during operation uneven heating can cause the LCD cell to expand or contract. Stabilizers that are stiff enough to press fit the LCD cell can cause the destruction of the LCD cell. Thus, the *Kamiya* press fit construction is entirely unsuitable configuration. The inventors have avoided the inherent flaws in the *Kamiya* device by attaching separate spacers which are “sufficiently compliant such that they do not induce substantial stresses in the LCD assembly”. This is the opposite of the members (4a, 4b) of the *Kamiya* mounting frame. Accordingly, there is no teaching or suggestion in either of the cited references to use spacers that are “sufficiently compliant such that they do not induce substantial stresses in the LCD assembly”, in fact *Kamiya* teaches just the opposite. Accordingly, absent such a teaching, the cited art fails to teach all of the claim limitations.

Additionally, applicants address the comments in *Kamiya* and the office action that the frame and LCD panel can absorb an applied shock. This, concern is not relevant to the limitations and applications of the cited invention which seeks to prevent damage cause but uneven thermal expansion and has nothing to do with “applied shock” so expressed motivation to combine the references is not present nor relevant to the claimed invention.

So for at least the above reasons, the cited references are insufficient to establish a *prima facie* case of obviousness as to Claim 3. As a consequence, no obviousness rejection is supported by the cited art and it is therefore requested that the rejection of Claim 3 be withdrawn for at least this reason. Moreover, the same can be said for dependent Claims 4-6 (which depend from Claim 3). Thus, the applicants respectfully request that the rejections of Claims 3-6 be withdrawn and allowed to issue.

The following discussion concerns **Claim 1** and the claims depending therefrom (i.e., Claims 7-13). **Claim 1** has been amended to recite “liquid crystal cell being positioned ... within the recess formed in the containment structure” and “a plurality of spaced apart stabilizers arranged to extend over the recess in the containment structure to couple edge portions of the liquid crystal cell to the containment structure”. To the extent that any such spacers are discussed in the cited art, none extend over a recess in the containment structure. What this exactly means is well illustrated in (for example) Figs. 6 and 12 of the application. Accordingly, none of the cited art teach this limitation. As such, the cited references are insufficient to establish a *prima facie* case of obviousness as to Claim 1. As a consequence, no obviousness rejection is supported by the cited art and it is therefore requested that the rejection of Claim 1 be withdrawn for at least this reason. Moreover, the same can be said for dependent **Claims 7-13**. Although these dependent claims are allowable in their own

right, no such discussion of their particular merits is required at this time due to the underlying patentability of independent Claim 1. Thus, the applicants respectfully request that the rejections of Claims 1 & 7-13 be withdrawn and allowed to issue.

**Claim 14** recites the process limitation of “forming a plurality of spaced apart stabilizers arranged to couple an edge”. This feature is entirely absent from the cited art. Neither *Kamiya* nor *Mathew* teach or suggest the claimed limitation of forming a plurality of spaced apart stabilizers independent of the containment structure as is claimed here. The support members 4a & 4b of *Kamiya* form part of the containment structure and not independently formed as is claimed here. As a result, the cited art fails to establish a *prima facie* case of obviousness as to Claim 14. As a consequence, the cited art is deficient in failing to establish a valid obviousness rejection. Therefore, the applicants respectfully request that the rejection of Claim 14 be withdrawn.

This distinction is made especially apparent in **Claim 19** which recites a plurality of spaced apart stabilizers that “are arranged in manner such that substantially no stresses are imposed on the liquid crystal cell”. This is the opposite of the case illustrated in *Kamiya* where the stress is exacerbated by the presence of the press fit. And, of course, *Mathew* does not use spacers.

The same can be said for all of the dependent **Claims 15-21**. Thus, the applicants respectfully request that the rejections of Claims 14-21 be withdrawn and allowed to issue.

Additionally, the cited art fails to teach all of the limitations of **Claims 22-24**. For example, in Claim 22, the cited references fail to teach or suggest “a plurality of spaced apart stabilizers arranged to couple edge portions of the liquid crystal cell to the containment structure *without adhering the bottom surface of the liquid crystal cell to the bottom surface of the containment structure, the stabilizers being sufficiently compliant such that they do not induce substantial stresses in the LCD assembly.* (emphasis added)” First, *Mathew* has no stabilizers and so is not helpful in this regard. Second, the “stabilizers” 4 of *Kamiya* clearly engage the bottom (See, 4aa, for example) of the LCD panel 1. Nor is there any teaching or suggestion that the *Kamiya* retaining members 4a are “compliant” as required by the claims. In fact they are press fit to engage the LCD under pressure to secure it. This is exactly the opposite of the compliant spacers of the claimed invention. Accordingly, the cited art fails to establish a *prima facie* case of obviousness as to Claim 22. Therefore, the applicants respectfully request that the rejection of Claim 22 be withdrawn. Moreover, the

same can be said for dependent Claims 23 and 24 which are also believed to be allowable for other reasons.

Accordingly, the applicants respectfully request that the pending obviousness rejections of Claims 1 and 3-24 be withdrawn and these claims be allowed.

#### **Double-Patenting Rejections:**

All claims are rejected under the judicially created doctrine of non-statutory double patenting. In particular the claims are rejected as being unpatentable over U.S. Patent No. 6,476,885 to *Murray et al.* (“*Murray*”). Applicants respectfully point out that the present application predates *Murray*. The filing date of *Murray* is July 19, 1999 nearly five months after the February 24, 1999 filing date of the present application. Accordingly, *Murray* is too late to comprise an effective reference. Moreover, since the reason for the judicially created doctrine of non-statutory double patenting is to prevent unauthorized extension of a patent term, it is not properly applicable here. As currently, filed the present application already has a shorter term than the cited reference which extends beyond the expiration date of the present application. In other words, the rejection has no basis and the terminal disclaimer has no effect. Thus, the applicants respectfully request that this rejection of the pending claims be withdrawn.

#### **New Claims:**

**Claims 25-29** have been added to capture selected specific patentable subject matter. For example, Claim 25 recites (among other things) “a strip of tape mounted at an edge ... including a plurality of bond pads” and a “raised barrier mounted ... on top of the strip of tape and arranged so that the bond pads are exposed”. These are not taught by the cited art. In another example, Claim 28 teaches spacers “further configured to leave at least one edge of the cell open and not coupled with the cell”. This configuration reduces the stress on the cell and is also not taught in the cited art.

#### **Conclusion**

The amendments and remarks made herein are believed to overcome all pending grounds for rejection. Accordingly, the applicants respectfully submit that all issues in the

Office Action have been addressed. Moreover, the applicants submit that all new claims are allowable over the cited art.

Accordingly, the applicants request withdrawal of all pending rejections. Also, applicants believe that this application is in condition for allowance, and accordingly request reconsideration and prompt passage to issuance.

The applicants wish to mention that any lack of response to any of the issues raised by the Examiner is not an admission by the applicant as to the accuracy of the Examiner's assertions with respect to such issues. Moreover, applicants specifically reserve the right to respond to such issues at a later time during the prosecution of the present application, should such a need arise. It is respectfully submitted that all pending claims are allowable and that this case is now in condition for allowance.

The Examiner is cordially invited to telephone the applicants' representative to discuss any matters pertaining to this case. Should the Examiner wish to contact the undersigned for any reason, the telephone number set out below can be used.

Additionally, if any fees are due in connection with the filing of this Amendment, the Commissioner is authorized to deduct such fees from the undersigned's Deposit Account No. 50-0388 (Order No. NSC1P127).

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read 'F. T. Kalinski II', with a large, stylized flourish extending from the end of the signature.

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